

## **EXHIBIT B**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN)  ECF Case
This document relates to:  <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN)  ECF Case

**DECLARATION OF JEREMY DAVIDS**

I, Jeremy Davids, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based upon my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and I remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was present in New York City when the terrorist attacks of the World Trade Center (“WTC”) Towers occurred. At the time of these horrific attacks, I worked as an advertising executive for Digitas, Inc., a New York-based marketing and advertising company.

4. On the morning of September 11th, I had been scheduled to meet with representatives of American Express at Three World Financial Center at 9:00 a.m. I had traveled on the New York subway system that morning en route to my appointment. Moments before I exited the subway at the Fulton Street Station at Dey Street, the first passenger jet, American Airlines Flight 11, had struck the upper section of the North Tower.

5. As I walked up the steps from the subway to the street level, a man running down the stairs collided with me and frantically said “something blew up”. As I emerged to street level, I saw smoke and fire coming from the upper sections of the World Trade Center’s North Tower, as well as paper fluttering in the air and debris falling from the building. I continued walking towards the plaza of the World Trade Center and stood at Fey and Church Street in front of the Century 21 department store across the street from the WTC Towers.

6. I watched in horror and witnessed at least fifteen people jumped to their deaths from the North Tower as I stood on the perimeter of the WTC plaza. I walked back across the street to the front of the Century 21 department store and continued to watch the events unfold in and around the North Tower.

7. As I watched the horrific scenes unfold at the North Tower, I then heard the sound of another plane approaching. I looked up and witnessed the impact of the second plane hitting the South Tower directly in front of me, saw a burst of huge flames and debris shooting towards me from above, and heard the extremely loud sound of the explosion as the plane impacted the building. As large debris began to fall around me, I held up my briefcase as a shield over my head for protection and moved under Century 21’s overhanging roof area for protection from the falling debris.

8. When it seemed safe and debris was no longer falling beside me, I emerged from under the overhang and walked towards the middle/end of the block of Dey Street and continued to watch as the events unfolded in the World Trade Center’s North and South Towers. I remained in this area for about 45 minutes witnessing panic on the ground and people jumping out of the North Tower, and then decided to started walking North a bit further from the buildings

9. Just as I decided to walk in a northern direction, a mass of people started running towards me running away from the WTC buildings area, and sensing their panic, I began to run away as well. I darted wildly down two small side streets in close proximity to the WTC area, then turned around to see the massive debris cloud barreling towards me. I was then engulfed by a massive cloud of building dust and debris from the collapsed South Tower. I struggled to breathe due to the thickness of the dust and debris cloud, and I inhaled large quantities of these substances into my lungs and airways as I sought refuge from the total darkness.

10. As I stumbled through the debris cloud, I took shallow breaths of air through my nose to try to limit my inhalation of the debris and toxic dust. Determined to escape from the area, I felt my way along the right side of the street's façade until I found the entrance to a bar called the Blarney Stone and entered the building. Once inside, I was coughing up soot from my lungs and was handed a bottle of water by a patron. It was from this bar that I watched the outside darken again as the North Tower collapsed.

11. When it appeared that the dust cloud from the second collapse had settled, I exited the bar and walked north while wading through piles of debris from the collapsed WTC Towers. The air was very thick with smoke and debris. I caught a blue line train to Penn Station at 34<sup>th</sup> Street, and I then walked to my Digitas office located at 26<sup>th</sup> Street and Park Avenue. I later left my office and caught a cab to my girlfriend's apartment at 78<sup>th</sup> Street and Second Avenue.

12. I had great difficulty breathing the next morning and an intense pain in one of my ears, so I sought treatment at the Emergency Room of Lenox Hill Hospital for my injuries. In the days, weeks, months, and years after the events of September 11th, I continued to seek medical treatment for my various injuries and conditions caused by the 9/11 Attacks. Attached as Exhibit



B to this Declaration is a true and correct copy of my select relevant documents and medical records<sup>1</sup> related to the treatment that I received following the September 11, 2001 terrorist attacks.

13. As a result of these terrorist attacks, I suffered the following specific injuries on September 11, 2001 due to the large quantities of dust and debris that I inhaled following the collapse of the South Tower: an upper respiratory disease<sup>2</sup>, chronic cough syndrome<sup>3</sup>, chronic laryngitis<sup>4</sup>, chronic rhinitis<sup>5</sup>, an ear infection<sup>6</sup>, sinusitis<sup>7</sup>, gastroesophageal reflux disease (GERD)<sup>8</sup>, and obstructive sleep apnea<sup>9</sup>.

14. Due to my experience on 9/11 and my memories of that fateful day, I also have received continuous treatment for depression and post-traumatic stress disorder<sup>10</sup> (PTSD).

15. My physical and emotional injuries from 9/11 have also been confirmed by both the September 11th Victim Compensation Fund (VCF)<sup>11</sup> and the World Trade Center Health Program<sup>12</sup>.

16. Attached as Exhibit C to this Declaration is a true and correct copy of a news article published the day after the events of September 11th in which I relayed some of my experience during that fateful day.

17. I previously pursued a claim (VCF Number 0000337) through the September 11th VCF specifically related to my physical injuries incurred on September 11, 2001, and my claims were determined to be eligible for compensation.

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<sup>1</sup> See, 9/11 Injury Records of Jeremy Davids (DAVIDS\_MEDS\_0001), attached hereto as Exhibit B, at 0001-0047.

<sup>2</sup> *Id.* at 0003, 0016, 0030, 0038, 0048.

<sup>3</sup> *Id.* at 0001, 0008, 0019-0020, 0040-0041.

<sup>4</sup> *Id.* at 0001, 0008, 0012, 0016, 0019-0022, 0037, 0041, 0045.

<sup>5</sup> *Id.* at 0001, 0008, 0013, 0016, 0021, 0041, 0045.

<sup>6</sup> *Id.* at 0001, 0029, 0040, 0046.

<sup>7</sup> *Id.* at 0001, 0008, 0021, 0022, 0041.

<sup>8</sup> *Id.* at 0001, 0003, 0019-0020, 0037, 0041.

<sup>9</sup> *Id.* at 0001, 0004, 0008, 0040, 0047.

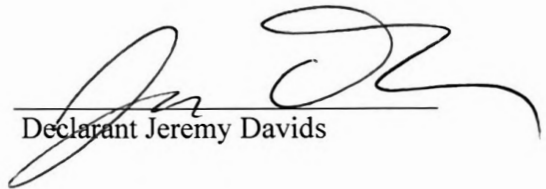
<sup>10</sup> *Id.* at 0003, 0008, 0012, 0016, 0021-0043.

<sup>11</sup> *Id.* at 0001-0002.

<sup>12</sup> *Id.* at 0003-0004.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 22<sup>nd</sup> day of April 2024.

  
Declarant Jeremy Davids

**EXHIBITS  
FILED  
UNDER SEAL  
(ECF No.  
5716)**